

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
CENTRAL DIVISION**

**PARNELL R. MAY  
#22568-16**

**PLAINTIFF**

**v.**

**CASE No: 4:21-cv-00255-LPR-PSH**

**TIMS, *et al.***

**DEFENDANTS**

**ORDER**


The Court has received a Partial Recommendation from United States Magistrate Judge Patricia S. Harris. (Doc. 9). Plaintiff Parnell R. May filed objections to the Recommendation. (Doc. 12). The Court has carefully reviewed the Recommendation, the objections, and the entire record *de novo*. Based on the Court's *de novo* review, the Court concludes that the Recommendation should be, and hereby is, approved and adopted as this Court's findings in its entirety.<sup>1</sup>

The following claims may proceed: May's individual capacity retaliation and excessive force claims against Deputy Tims; May's individual capacity failure-to-protect claim against Sergeant Conners; and May's individual capacity deliberate indifference claims against LPN Lowe and an unnamed nurse. Mr. May's other claims are DISMISSED without prejudice for failure to state a claim upon which relief may be granted. Pursuant to 28 U.S.C. § 1915(a)(3), the Court certifies that an in forma pauperis appeal of this Order would not be taken in good faith.

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<sup>1</sup> In his objection, Mr. May offers some more specific facts with respect to his claim concerning harassment. Pl.'s Objections to Partial Recommendations. (Doc. 12). On page 6 of 15, Mr. May sets forth derogatory comments Tims allegedly made. *Id.* at 6. Under our current precedent, these few isolated statements are simply not enough to state a viable constitutional claim.

IT IS SO ORDERED this 28th day of June, 2021.



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LEE P. RUDOFSKY  
UNITED STATES DISTRICT JUDGE